

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application, and for the telephone interview conducted on August 11, 2006. The application has been carefully reviewed in light of the previous Office Action and the interview, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention.

Claims 1–40 remain in this application. Claims 25–38 have been indicated as being in a condition for allowance. This supplemental amendment clarifies various features of the claims. Please note that the arguments provided in the response of July 7, 2006 still apply.

Claims 1–2 and 13–14 were previously rejected under 35 U.S.C. §103(a) as being unpatentable over Malkemes *et al.* (WO 97/40584) in view of Igarashi *et al.* (U.S. 5,926,749) and further in view of Nguyen (U.S. 6,253,092). For the following reasons, the rejections are respectfully traversed.

Claims 1 and 13 have been amended as suggested during the telephone interview. The amendments are to clarify that the variable power amplifiers are *individually* controlled, and that they amplify a modulated signal that is transmitted without any *further* modulation. As discussed during the telephone interview, none of the references teach such a feature.

Claim 2, which depends on claim 1, and claim 14, which depends on claim 13, are thus patentable over the references for at least the same reasons as the parent claims, as are new claims 39 and 40.

Furthermore, claim 39 recites that said plurality of amplifiers comprise an “amplifier unit” and that “said plurality of variable power amplifiers are individually controlled such that a function of an output of said amplifier unit to a control voltage is substantially

linear over a wider range of said control voltage than is a function of each one of said plurality of variable power amplifiers to said control voltage." Claim 40 recites similar language for dependence upon claim 13.

None of the prior art references teach an amplifier unit comprised of a plurality of variable power amplifiers with the cited characteristics. Thus, claims 39 and 40 are patentable over the references.

Claims 7 and 19 under 35 U.S.C. §103(a) as being unpatentable over Malkemes in view of Fujita (EP 888,250 A2). For the following reasons, the rejection is respectfully traversed.

First, the Examiner states in the first paragraph of the Office Action that the rejection of claim 7 has been withdrawn, stating that previous arguments were persuasive. However, the Examiner repeats the previous rejection of claim 7 on page 4 of the Office Action. During the telephone interview, it was discussed that the prior art does not teach the features of claims 7 and 19, as argued in the prior filed response.

Accordingly, claims 7 and 19 are patentable over the references. The remaining claims, which depend on one of the above discussed independent claims, are patentable over the references for at least the same reasons as the parent claims

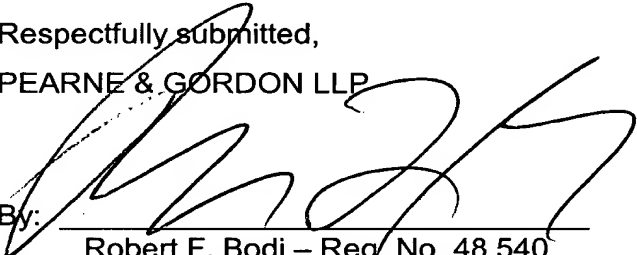
Finally, as previously argued, the Examiner has failed to provide the proper motivation for combining the references, and thus has not made a prima facie case for obviousness. Accordingly, the rejections for obviousness are not proper, and should be withdrawn.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the

Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33677.

Respectfully submitted,
PEARNE & GORDON LLP

By: 
Robert F. Bodi – Reg. No. 48,540

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: August 29, 2006